

**"§1079a. CHAMPUS: treatment of
refunds and other
amounts collected"**

"All refunds and other amounts collected in the administration of the Civilian Health and Medical Program of the Uniformed Services shall be credited to the appropriation available for that program for the fiscal year in which the refund or amount is collected."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1079 the following new item:

§1079a. CHAMPUS: treatment of refunds and other amounts collected."

(b) CONFORMING REPEAL.—Section 8094 of the Department of Defense Appropriations Act, 1996 (Public Law 104-61: 109 Stat. 671), is repealed.

**SEC. 734. EXCEPTIONS TO REQUIREMENTS REGARDING
OBTAINING
NONAVAILABILITY-OF-HEALTH-CARE STATEMENTS.**

(a) REFERENCE TO INPATIENT MEDICAL CARE.—(1) Section 1080(a) of title 10, United States Code, is amended by inserting

"inpatient" before "medical care" in the first sentence.

(2) Section 1086(e) of such title is amended in the first sentence by striking out "benefits" and inserting in lieu thereof "inpatient medical care".

(b) WAIVERS AND EXCEPTIONS TO REQUIREMENTS.—(1) Section 1080 of such title is amended by adding at the end the following new subsection:

"(c) WAIVERS AND EXCEPTIONS TO REQUIREMENTS.—(1) A covered beneficiary enrolled in a managed care plan offered pursuant to any contract or agreement under this chapter for the provision of health care services shall not be required to obtain a nonavailability-of-health-care statement as a condition for the receipt of health care.

(2) The Secretary of Defense may waive the requirement to obtain nonavailability-of-health-care statements following an evaluation of the effectiveness of such statements in optimizing the use of facilities of the uniformed services."

(2) Section 1086(e) of such title is amended in the last sentence by striking out "section 1080(b)" and inserting in lieu thereof "subsections (b) and (c) of section 1080".

(c) CONFORMING AMENDMENTS.—Section 1080(b) of such title

is amended ~~d~~—
(1) by striking out "NONAVAILABILITY OF HEALTH CARE STATEMENTS" and inserting in lieu thereof "NONAVAILABILITY-OF-HEALTH-CARE STATEMENTS"; and
(2) by striking out "nonavailability of health care state-ment" and inserting in lieu thereof "nonavailability-of-health-care statement".

SEC. 735. ENHANCEMENT OF THIRD-PARTY COLLECTION AND SECONDARY PAYER AUTHORITIES UNDER CHAMPUS.

(a) RETENTION AND USE BY TREATMENT FACILITIES OF AMOUNTS COLLECTED ~~—S~~ubsection (g)(~~l~~) of section 1095 of title 10, United States Code, is amended by inserting "or through" after "provided at".

~~—S~~ub-
(h) EXPANSION OF DEFINITION OF THIRD-PARTY PAYER.
section (h) of such section is amended ~~d~~—